

1 RENE L. VALLADARES
2 Federal Public Defender
3 Nevada State Bar No. 11479
4 NISHA BROOKS-WHITTINGTON
5 Assistant Federal Public Defender
6 411 E. Bonneville, Ste. 250
7 Las Vegas, Nevada 89101
8 (702) 388-6577/Phone
9 (702) 388-6261/Fax
10 Nisha_Brooks-Whittington@fd.org
11 Attorney for Curtis McGown

7 **UNITED STATES DISTRICT COURT**
8
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 CURTIS MCGOWN,
14 Defendant.

Case No. 2:19-cr-00028-APG-GWF
**STIPULATION TO CONTINUE
REVOCATION HEARING**
(Seventh Request)

15
16 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
17 Acting United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney,
18 counsel for the United States of America, and Rene L. Valladares, Federal Public
19 Defender, and Nisha Brooks-Whittington, Assistant Federal Public Defender, counsel for
20 Curtis McGown, that the Revocation Hearing currently scheduled on July 1, 2021 at 1:30 p.m.,
21 be vacated and continued to April 1, 2022.

22 This Stipulation is entered into for the following reasons:

23 1. On or about January 28, 2020, Mr. McGown appeared on the petition seeking to
24 revoke his supervised release and was released on his own recognizance pending the supervised
25 release revocation hearing, which is currently scheduled for July 1, 2021 at 10:00 a.m.

2. The defendant, Mr. McGown has not resolved his state court case in connection with the alleged new law violation. The state case was scheduled for trial on April 7, 2021, however, the date was vacated and reset to March 2022. Because the pending state case is related to the underlying petition, the parties request a continuance to allow the state proceedings to resolve prior to the revocation hearing.

3. The defendant is not in custody and agrees with the need for the continuance.

4. The parties agree to the continuance.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties sufficient time within which to adequately prepare for the revocation hearing. Additionally, denial of this request for continuance could result in a miscarriage of justice, and the ends of justice served by granting this request, outweigh the best interest of the public and the defendant in a speedy hearing.

This is the seventh request for a continuance of the revocation hearing.

DATED this 14th day of June 2021.

RENE L. VALLADARES
Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ *Nisha Brooks-Whittington*
By _____
NISHA BROOKS-WHITTINGTON
Assistant Federal Public Defender

/s/ Kimberly M. Frayn
By _____
KIMBERLY M. FRAYN
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
CURTIS MCGOWN,
Defendant.

Case No. 2:19-cr-00028-APG-GWF

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDING OF FACT

Base on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On or about January 28, 2020, Mr. McGown appeared on the petition seeking to revoke his supervised release and was released on his own recognizance pending the supervised release revocation hearing, which is currently scheduled for July 1, 2021 at 9:30 a.m.

2. The defendant, Mr. McGown has not resolved his state court case in connection with the alleged new law violation. The state case was scheduled for trial on April 7, 2021, however, the date was vacated and reset to March 2022. Because the pending state case is related to the underlying petition, the parties request a continuance to allow the state proceedings to resolve prior to the revocation hearing.

3. The defendant is not in custody and agrees with the need for the continuance.

4. The parties agree to the continuance.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties sufficient time within which to adequately prepare for the revocation hearing. Additionally, denial of this request for continuance could result in a miscarriage of

1 justice, and the ends of justice served by granting this request, outweigh the best interest of the
2 public and the defendant in a speedy hearing.

3 **ORDER**

4 THEREFORE, IT IS ORDERED that the revocation hearing currently scheduled
5 for Thursday, July 1, 2021 at 10:00 a.m., be vacated and continued to April 7, 2022 at the
6 hour of 9:00 a.m. in courtroom 6C.

7 DATED this 14th day of June 2021.

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10 UNITED STATES DISTRICT JUDGE

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